

**WEDNESDAY, MARCH 8, 2006, 9:00 A.M.
SPECIAL CITY COUNCIL MEETING**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENT

NOTICES

1. **The City Clerk has on Thursday, March 2, 2006, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.**

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

2. [Subject: Consideration For Annexation Of 900-1100 Las Positas Road \(Veronica Meadows Specific Plan\) \(680.04\)](#)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Initiating Proceedings For a Reorganization of Boundaries, Annexation to the City of Santa Barbara, Detachment From the Goleta Water District, and Detachment From the Santa Barbara County Fire Protection District, Amending the General Plan Map of the City Of Santa Barbara, Amending the Local Coastal Plan of the City of Santa Barbara, Enacting an Amendment to Title 28 of the Santa Barbara Municipal Code to Enact a New Chapter, Chapter 28.50, a Specific Plan For the Veronica Meadows Specific Plan (The "SP-9 Zone"), Making Necessary Environmental Findings and Approving a Statement of Overriding Considerations Under the California Environmental Quality Act, For Property Located at 900-1100 Las Positas Road, Assessor Parcel Numbers 047-010-011, 047-010-016, 047-061-026 and a Portion of 047-010-053; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Making Environmental Findings and Approving a Public Street Waiver, Lot Line Adjustment, Coastal Development Permit and Tentative Subdivision Map For an Application of Peak Las Positas Partners, 900-1100 Block of Las

Positas Road (Veronica Meadows Specific Plan) (MST99-00608);
and

- C. Direct staff to prepare an easement authorizing the use of a City-owned parcel (APN 047-010-009) for the construction of the bridge and the construction and future maintenance of the creek restoration element of the project, finding the proposed uses of the City parcel to be accessory to and compatible with the park and recreation uses to which the property is devoted.

ADJOURNMENT



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2006

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Consideration For Annexation Of 900-1100 Las Positas Road
(Veronica Meadows Specific Plan)

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Initiating Proceedings For a Reorganization of Boundaries, Annexation to the City of Santa Barbara, Detachment From the Goleta Water District, and Detachment From the Santa Barbara County Fire Protection District, Amending the General Plan Map of the City Of Santa Barbara, Amending the Local Coastal Plan of the City of Santa Barbara, Enacting an Amendment to Title 28 of the Santa Barbara Municipal Code to Enact a New Chapter, Chapter 28.50, a Specific Plan For the Veronica Meadows Specific Plan (The "SP-9 Zone"), Making Necessary Environmental Findings and Approving a Statement of Overriding Considerations Under the California Environmental Quality Act, For Property Located at 900-1100 Las Positas Road, Assessor Parcel Numbers 047-010-011, 047-010-016, 047-061-026 and a Portion of 047-010-053; and
- B. Adopt, By Reading Of Title Only, A Resolution of the Council of the City of Santa Barbara Making Environmental Findings and Approving a Public Street Waiver, Lot Line Adjustment, Coastal Development Permit and Tentative Subdivision Map For an Application of Peak Las Positas Partners, 900-1100 Block of Las Positas Road (Veronica Meadows Specific Plan) (MST99-00608); and
- C. Direct staff to prepare an easement authorizing the use of a City-owned parcel (APN 047-010-009) for the construction of the bridge and the construction and future maintenance of the creek restoration element of the project, finding the proposed uses of the City parcel to be accessory to and compatible with the park and recreation uses to which the property is devoted.

EXECUTIVE SUMMARY:

This project has an extensive history that is covered more completely in the staff report for the December 1, 2005 Planning Commission hearing (Attachment 3 of this report). This

REVIEWED BY: _____ Finance _____ Attorney

Agenda Item No. _____

Council Agenda Report is a brief summary of the most relevant issues pertaining to the annexation proposal and related development project.

The proposal involves the annexation of approximately 50 acres to the City of Santa Barbara and adoption of a Specific Plan to guide future development of the subject properties. The affected properties are located within the City's Sphere of Influence, in the unincorporated area of Las Positas Valley. Proposed development on the site includes construction of 23 dwelling units, a new bridge over Arroyo Burro Creek to connect Las Positas Road to the proposed subdivision, and extensive creek stabilization and restoration work. Key considerations for the project were determining the appropriate building envelope for the site, potential impacts of the proposed bridge, and the proposed creek restoration plan.

Existing City General Plan policies in the Land Use Element, as well as policies within the City's Draft Annexation Policy Update, encourage annexation of unincorporated islands and peninsulas of land contiguous to the City and within the City's Sphere of Influence at the earliest convenience. It is Staff's position that the proposed annexation would be consistent with the City's goal to remove such County islands within the City's jurisdiction. The adoption of a Specific Plan is preferred to conventional zoning standards in this area, due to the property's unique opportunities and constraints. The proposed General Plan designations and residential development can be found consistent with the pattern of development of the existing neighborhood and the uses envisioned for this area in the Draft Las Positas Valley and Northside Pre-Annexation Study.

The Planning Commission considered the same project on December 1, 2005 and voted to refer it to the City Council, as the six-member Commission was deadlocked, with three members in favor of the project and three opposed (Commissioner Jostes stepped down on this project).

DISCUSSION:

Project Description

The Veronica Meadows Specific Plan (hereinafter referred to as "the project") involves the annexation of approximately 50.5 acres from an unincorporated portion of Santa Barbara County to the City, and a 29-lot subdivision. Approximately 35.7 acres would be dedicated open space and 14.8 acres would be developed for residential and passive recreational uses. Twenty-three residential lots would be created, ranging in size from approximately 5,520 to 11,373 square feet. The remaining six lots would be comprised of common open space areas and public roads. The project would include two-story homes, ranging in size from 1,800 to 4,500 square feet of living area. A comprehensive creek stabilization and restoration plan for approximately 1,800 linear feet of Arroyo Burro Creek adjacent to the development site is also proposed as part of the project.

Site access to all but two lots would be provided via a proposed bridge over Arroyo Burro Creek that would intersect with Las Positas Road; the remaining two homes

would be accessed from the end of Alan Road. A public pedestrian path is proposed along the western edge of the creek to provide access from Alan Road to Las Positas Road.

Issues

Annexation

Las Positas Valley consists of property that is located in the City and the County and has been within the City's Sphere of Influence for a number of years. Much of Las Positas Valley has been part of the City for 40 to 60 years; however, many islands of unincorporated County property remain. Good planning practice would encourage annexing Las Positas Valley to the City, as these areas are for all practical purposes functional parts of the City, relying on Santa Barbara for cultural, social, and economic needs, and to provide coherent planning in the area.

As part of any annexation, appropriate land use and zoning designations and development density must be established. Efforts have been made in the past to pre-zone the unincorporated areas of Las Positas Valley for future annexation into the City. The Draft Las Positas Valley and Northside Pre-Annexation Study (completed in 1995 and updated in 1999, but never adopted) designated the flatter portions of this unincorporated area for single-family residential development with a density of five dwelling units per acre, and the steeper areas for Major Hillside and Open Space uses. The zoning designations envisioned by the Draft Las Positas Valley and Northside Pre-Annexation Study for this area were E-3, One-Family Residence (7,500 square-foot minimum lot size) and 20-A-1, One-Family Residence (20-acre minimum lot size), similar to the land use designations. The existing development along Alan Road is in the City and is designated E-3. The Stonecreek Condominium development, which is under County jurisdiction, is designated DR-10 (Design Residential, 10 dwelling units/acre). Similar designations were proposed for this area in the 1977 pre-zoning study and were used to determine water demand in the Goleta Water Overlap Agreement EIR in the mid-1980s.

The City's Zoning Ordinance advises that zone boundaries follow property lines, which often have little relationship to topographical features. For example, current zoning designations in this area, and those proposed in the Draft Las Positas Valley and Northside Pre-Annexation Study, are coterminous with property lines and do not reflect the topography of the area. For that reason, the entire 86-acre parcel west of the project site, which is almost entirely composed of steep slopes, has a County zoning designation that requires 20 acres per dwelling unit. However, the lower portion of that parcel, the 4.49-acre portion proposed to be annexed and developed as part of this project, is primarily less than 10% in slope. The topography of this lower area closely resembles the remainder of the project site currently designated by the County for one dwelling unit per 8,000 square feet of lot area. The proposed lot line adjustment and annexation would re-align the property lines and jurisdictional boundaries to more closely match the topographical features of this area.

Specific Plan

Project density and site design have been major discussion topics for this project over the last six years. The zoning designations previously discussed for this site have included the full range of single-family zoning (A-1, A-2, E-1, E-2, E-3), as well as the PUD and PRD zone designations. It became evident that a specific plan would be the most appropriate means to establish development standards for the site when the Planning Commission initiated the specific plan process for the project in February 2003.

The primary purpose of a specific plan is to establish a detailed plan for development of a focused area of the City. Conventional zoning standards are replaced with detailed development standards that best meet the needs of the area within the specific plan boundaries. As a result, any development within the specific plan area must be consistent with the adopted specific plan. There are limited means to condition an annexation to ensure a specific type of development. Therefore, the purpose of the specific plan approach would be to give maximum assurance for what would be developed on this land.

Proposed Specific Plan #9 (SP-9) encompasses the entire 50-acre area to be annexed, approximately 14.8 acres of which is proposed for residential development, and provides a list of permitted uses and development standards that are consistent with the use of the area as single family residential development, in accordance with the General Plan and Local Coastal Plan. SP-9 strives to promote a clustered development and protect the natural environment by limiting the density to 1.6 dwelling units per gross acre on the 14.8-acre site proposed for development, requiring that not less than 50% of that area be dedicated to common open space, and designating the entire 35.77-acre parcel for open space use (please see the attached Ordinance for proposed SP-9 and associated Area Map). SP-9 also requires the review of future development by the Architectural Board of Review to ensure neighborhood compatibility.

Development Constraints/Building Envelope

Throughout Staff's review of development on this property, one of our main concerns has been determining the appropriate area on the site for development. The number of units on the site, or density of development, has been less of a concern. The constraints of the steep slopes to the west and north and Arroyo Burro Creek to the east provide a natural delineation of a potential building envelope on the site. The 14.8-acre area created by these natural constraints is relatively flat, has been previously disturbed, and is directly adjacent to existing development on Alan Road to the south and the Stonecreek Condominiums to the north.

It is Staff's belief that, with appropriate measures in place to protect the sensitive creek resources, and adequate precautions to stabilize the hillside, the 14.8-acre area is the most appropriate area for development on the project site, and is appropriate for single family residential development. After several years of discussions between Staff and the Applicant and concept reviews before the Planning Commission and Architectural Board of Review (ABR), it was determined in October 2003 that development of this

area should be further evaluated through the environmental review process, in the form of an Environmental Impact Report (EIR).

Given that land area is available to provide adequate protection of the riparian corridor, the development would be clustered in the flatter portions of the property, and a significant amount of private common and public open space would be preserved, it is Staff's belief that the proposed residential development has been appropriately sited on the property.

Proposed Development

Proposed Bridge

The Final EIR for the project concluded that the proposed bridge would have a significant environmental impact due to the permanent displacement of native and non-native riparian habitat at the bridge crossing, loss of a large oak tree and sycamore tree, and the possible effect on the movement of wildlife using the project site (particularly in the riparian corridor).

Conversely, the proposed bridge is identified in the FEIR as a beneficial impact to circulation, as it would enhance pedestrian and bicycle circulation throughout the Las Positas Valley and beyond.

The bridge is located outside the Coastal Zone; only the southern third of the project site is located in the Coastal Zone. Therefore, this element of the project is not evaluated in terms of consistency with the Coastal Act or the LCP. General Plan policies are applicable, however, and Visual Resources Policies 1.0 and 4.0 of the Conservation Element protect creeks and their riparian environment from degradation caused by development, and encourage the preservation of trees. Evaluated solely in terms of impacts to biological resources, the substantial effect of the proposed bridge on Arroyo Burro Creek and the associated riparian corridor could be considered inconsistent with these policies.

However, the Circulation Element, Bicycle Master Plan, and Draft Pedestrian Master Plan contain many policies and strategies that support the expansion and enhancement of bikeways and pedestrian systems in the Las Positas corridor. Staff has worked with the Applicant to locate the bridge where it is proposed to maximize its enhancement to the bicycle and pedestrian network in this area, consistent with these policies. It would provide a connection between the Westside, Bel Air, and Hidden Valley neighborhoods, and visitors at Elings Park to Arroyo Burro Beach via Alan Road, rather than walking or riding along Las Positas Road. A bridge in this location would also increase transit access for the Alan Road neighborhood, as an additional bus stop is proposed near its intersection with Las Positas Road.

Overall, it is Staff's opinion that the bridge is a supportable element of the project. The significant impacts to biological resources caused by the bridge are a serious concern and present potential inconsistencies with General Plan policies, as discussed above. However, the bridge would provide access to enhanced pedestrian and bicycle

amenities throughout the Las Positas Valley and, although not required by the Fire Department, it could provide a secondary means of access to and from the project site and the Alan Road neighborhood in the event of an emergency. When a project results in both significant adverse and beneficial impacts, it requires a careful weighing of those impacts to the environment and the general public. In this case, Staff believes that the beneficial aspects of the bridge on the circulation system and public safety outweigh the adverse impact to biological resources of the creek.

As presented in the FEIR, the impacts of the bridge are unavoidable, but they can be significantly reduced through the aggressive creek stabilization and restoration plan proposed by the Applicant and identified mitigation measures, which have been incorporated as conditions of approval. The greater overall public benefit of the enhanced circulation system would be enjoyed by local residents and visitors. Eliminating the bridge from the project would result in a lost opportunity to provide an enhanced bicycle and pedestrian system in this area, something the City has strived to achieve for many years.

Creek Stabilization and Restoration

The proposal involves extensive creek restoration and stabilization measures for the approximately 1,800 linear foot reach of Arroyo Burro Creek along the length of the project site, on both private and City-owned property. The goal of the restoration plan is to increase channel stability, reduce erosion, improve water quality, and restore ecological value to the creek. In order to achieve this, the plan proposes to reconfigure the creek channel by excavating benches along the creek banks and stabilizing the bed and banks using native rock and vegetation.

The creek restoration and stabilization work would also include repairing areas of previous bank failure, removal of non-native, invasive plant species, and re-planting the creek corridor with native riparian plant species. Restoration would occur on both sides of the creek, including portions of the project site and a City-owned 5.9-acre parcel, located between Arroyo Burro Creek and Las Positas Road. The plan attempts to equalize excavation on both sides of the creek channel, but adjustments were made where necessary to preserve and protect native trees (especially large oak trees), to excavate benches in a manner necessary to maintain a natural appearance, to take advantage of opportunities to increase the floodplain area in low topographical areas, to provide for smooth hydraulic transitions between upstream and downstream ends of the project, and to protect Las Positas Road from future erosion.

The project would provide a minimum buffer of 100 feet between the proposed residences and the adjusted top of bank (after creek stabilization work is completed) of Arroyo Burro Creek. The area located between Las Positas Road and the roadways within the new development would be restored through the proposed creek stabilization and restoration plan.

Policies of the Conservation Element generally serve to protect creeks and riparian environments. The Coastal Act and LCP, where applicable, provide more detail in that

these resources shall be maintained, preserved, enhanced and, where feasible, restored. More specifically, LCP Policy 6.10 states that the City shall require a setback buffer between the top of bank and any proposed project, and that the buffer will vary depending upon the site conditions and the environmental impact of the proposed project. Coastal Act Policy 30231 requires that biological productivity and quality of coastal streams be protected and, where feasible, restored. Policy 30240 protects sensitive habitat areas and requires development to be sited and designed to prevent impacts that would degrade these areas. Additionally, the Seismic Safety-Safety Element requires that adequate creek setbacks be established to protect new development from flood and erosion hazards.

Staff is supportive of the creek setback proposed by the Applicant and believes the project could be found consistent with applicable Coastal Act, LCP, and General Plan policies with the implementation of the proposed creek stabilization and restoration plan. Portions of the proposed private road and public loop road would be located within 100 feet from the new top of the creek bank; however, the overall plan would greatly improve the stability of the creek channel, thus providing a more stable buffer area between the development and the creek. The result is a site plan very similar to Figure 4-5 in the FEIR, which was identified as one of the environmentally superior alternatives to the original project. The stabilization and restoration work proposed within the creek channel would help reduce the magnitude of development impacts on riparian resources and water quality in the Arroyo Burro Creek corridor and improve the hydrology of the creek.

Based on the project impact analysis in the FEIR, it is Staff's belief that Arroyo Burro Creek should be protected to the maximum extent possible to help off-set the impacts of the proposed bridge and find consistency with the above policies. It is Staff's belief that the proposed creek stabilization and restoration plan would achieve this objective. While the restoration work would not fully mitigate the significant, unavoidable impact of the bridge, it provides for a substantial benefit that offsets the bridge impact and would greatly improve the stability of the creek and the overall health of the riparian corridor, and provide adequate protection of the proposed development and Las Positas Road from future creek bank erosion.

Grading and Development on Steep Slopes

Coastal Act Policy 30251, LCP Policy 9.1, and several policies of the Conservation Element discourage development that would significantly modify the natural topography of the site or be visible from large areas of the community. More specifically, Visual Resources Implementation Strategy 2.1 discourages development on slopes greater than 30%. Coastal Act Policy 30253 seeks to limit risks in areas of high geologic, flood, and fire hazard.

The proposed project would involve approximately 61,500 cubic yards of cut and 61,500 cubic yards of fill to stabilize several active and dormant landslides west of the development area. Another 13,459 cubic yards of cut and up to about 26,390 cubic

yards of fill would be required to establish the proposed roads and building pads in the flatter portions of the site. It may be possible that approximately 14,000 cubic yards of soil excavated from the creek channel for the bank stabilization work could be re-used on-site and may reduce the amount of soil imported to the site. Additional in-depth geotechnical reports are required as mitigation measures and conditions of approval, and further technical analysis of the project site regarding hazards from landslides and soil erosion, retreat, settlement, or subsidence during the plan review process may require alterations to the final project design.

The proposed project would not create new or unstable fill slopes and the original topographic contours of the hillside would be re-established after the stabilization is complete. Therefore, the project would not significantly modify the natural topography of the site, and could be found consistent with the Coastal Act, LCP, and Conservation Element in this respect.

The amount of grading on 30% slopes for project development would be relatively minor. While the grading could be considered potentially inconsistent with Implementation Strategy 2.1 of the Conservation Element, the strategy does not strictly prohibit grading on slopes greater than 30%. Additionally, proposed structural development on slopes greater than 30% would be limited to the garages at Lots 5 and 6, a large portion of the residence at Lot 6, and a small length of the public road near Lot 20. The project has been designed to minimize development on steep slopes as much as possible, and the location of structures on Lots 5 and 6 must strike a balance between avoiding development on steep slopes and providing adequate front yard setbacks and a creek buffer area. Given the minimal amount of development occurring on steep slopes and the limited visibility of these areas from major public viewing areas (i.e., Elings Park), the project could be found consistent with the Coastal Act, LCP, and Conservation Element in this respect.

Drainage and Water Quality

The existing hydrology on the site primarily consists of sheet flow and concentrated off-site flow that discharges into Arroyo Burro Creek. Drainage for the project would be provided primarily by a system of bioswales and an underground storm drain system and would be designed to provide sufficient drainage for a 100-year storm event. The small tributary on the site that runs from Campanil Hill to Arroyo Burro Creek, would be re-aligned to the area designated as Lot 24. It would continue to collect water from the hill, through the area between the lots abutting the public road, collecting runoff from these lots, and connect directly to Arroyo Burro Creek. The creation of this open drainage channel and associated landscaping is part of the overall creek restoration plan and would be integrated into the riparian environment of Arroyo Burro Creek. Small bridge structures would be incorporated into the public road, so that the drainage channel could flow under the road and remain an open channel.

The public storm drain system would be located within the streets and utility easements and would collect runoff water from hardscaped areas and several lots within the

development that do not abut the main bioswale in Lot 24. Where possible, runoff collected from these areas would be cleaned by use of bioswales before it is conveyed into Arroyo Burro Creek. Discharge of runoff from the project would be located at two points along Arroyo Burro Creek; near the proposed bridge crossing and in the southerly portion of the site.

Although the amount of additional runoff created by the project would not be substantial and could be accommodated by planned improvements, the overall drainage patterns of the site would change, and the site runoff would be discharged into Arroyo Burro Creek at two concentration points. The FEIR identified several mitigation measures to reduce the potential impact of the project on the quantity and quality of site runoff, and changes to hydraulics of the creek. These include increasing the number of discharge points into the creek and the use of additional stormwater detention basins or bioswales along the length of the creek to retain and treat site runoff. These mitigation measures have been incorporated into the conditions of approval.

Grading activities on the site, including installation of the bridge, stabilization of the hillside and the creek, and grading for the new homes, are expected to last approximately 12 months. Given the substantial quantity of cut and fill activities and overall area of ground disturbance and the proximity to the creek, Best Management Practices (BMPs) are required as mitigation to reduce the potential for contaminants and sediments to enter the creek during construction activities. With the implementation of these measures, the project could be found consistent with Visual Policy 1.0 of the Conservation Element, Coastal Act Policies 30231, 30236, and LCP Policies 6.8, 6.10, and 6.11, as they seek to protect creek environments.

Traffic

Vehicular access to the project site would be primarily from Las Positas Road. The proposed project is expected to generate a total of 17 AM and 23 PM peak-hour trips and 220 average daily trips (ADTs). Six key intersections surrounding the project site were evaluated in the FEIR in terms of potential impacts to the intersection from project-specific and cumulative traffic.

The intersection of Cliff Drive and Las Positas Road is currently impacted at a Level of Service (LOS) F during the AM and PM peak-hour. The Las Positas Road/Highway 101 southbound ramp interchange currently operates at LOS D during the AM peak-hour and LOS C during the PM peak-hour. All of the other nearby intersections currently operate at LOS C or better during the peak hours. Further discussion of this analysis is in the FEIR.

The proposed project would add a range of 5 to 21 vehicle trips to AM and PM peak hour trips at four local intersections: Calle Real/Hwy 101 northbound ramps, Las Positas Road/Highway 101 southbound ramps, Las Positas Road/Modoc Road, and Las Positas Road/Cliff Drive. When these trips are distributed to the nearby intersections, the result is that the project itself would not result in a significant traffic impact. However, the additional trips, while small in magnitude, would contribute to a

potentially significant cumulative impact from this and reasonably foreseeable future projects on the operation of these intersections.

A feasible mitigation measure (Mitigation Measure TR-6) requiring a fair share contribution of funds for capacity improvements at these intersections is identified in the FEIR. However, this mitigation may not fully mitigate the contribution of this project to the cumulative traffic impacts. The applicant's contribution would be based on the peak hour traffic volume contributed by the proposed project as a percentage of the existing and future volume that exceeds the City's significance impact threshold of a 0.77 volume/capacity (V/C) ratio. This would result in the applicant contributing approximately \$88,850 towards future operational improvements at the four affected intersections.

The four affected intersections are currently Caltrans facilities. Capacity improvement projects have been identified at each intersection, but specific projects have not yet been programmed or funded at this time, except at Cliff Drive and Las Positas Road. An alternate solution to dividing the funds among the four intersections is to allocate the entire mitigation fund to the Cliff Drive/Las Positas roundabout project, which would occur once Highway 225 is relinquished to the City. Given that the Mitigation Fee Act requires mitigations to have a direct nexus to the impact (in this case, allocating funding for capacity improvements in proportion to the impact the project causes at each individual intersection), the City could not impose such a solution unless the City had a formal traffic mitigation fee program.

However, the Applicant has indicated a willingness to offer that the entire mitigation fee (\$88,850) be directed to the Cliff Drive/Las Positas Road project. While this would result in no mitigation fees being allocated to the other three intersections, it would increase the likelihood that the fees would be used for an intersection improvement that is likely to be funded and constructed in the near future. Condition of Approval G.5 memorializes the Applicant's offer, should the City Council decide that it would result in a greater overall benefit than having the funds dispersed to all four projects.

Directing all mitigation funds to one intersection, in combination with the proposed public pedestrian path and bicycle trail improvements through the site, would provide a benefit to the local circulation network such that the project could be found consistent with applicable Circulation Element and LCP policies.

The project would generate construction-related traffic that would occur over the two-year construction period and would vary depending on the stage of construction. This temporary construction traffic is considered an adverse but not significant impact. Standard mitigation measures would be applied as appropriate, including restrictions on the hours permitted for construction trips and approval of routes for construction traffic.

Visual Resources

Coastal Act Policy 30251 and LCP Policy 9.1 serve to protect, preserve, and enhance views to, from, and along the ocean. Policies of the Conservation Element also strive for protection of visual resources, such as hillsides, creeks, and significant open spaces.

The project site is surrounded primarily by a mix of open space and low- to medium-density residential development. The site itself is mostly open, with the exception of a grove of eucalyptus trees in the northwest corner of the site and willow, eucalyptus, and oak trees along the riparian corridor. The area near the center of the property has been subjected to extensive grading and vegetation removal as a result of past and present motorcycle use on the property.

The area proposed for development is partially visible from the upper portions of Elings Park, a major public viewing area. Based on the visual simulations in the FEIR (Appendix C of the FEIR), this area would be seen from Elings Park, with the backdrop of Campanil Hill and surrounding coastal scrub to the west. Because the site is situated at a lower elevation in the valley, the proposed development would not block views of the ocean, and could be found consistent with the Coastal Act and LCP Policies.

Some of the structures would be obscured by mature trees and fairly dense vegetation along the creek. A larger area, including the hillsides and creek, would remain intact. When viewed in the larger context of the Las Positas Valley area, the project would blend in with the surrounding residential development on the ridgeline above and to the north and south of the project site. Over time, the development would be less visible as the proposed landscaping reaches maturity. Therefore, the project would represent a change, but not a significant degradation, to the existing view from Elings Park. As such, the project could be consistent with the Conservation Element in this regard.

Open Space

The proposed subdivision includes 23 residential lots and four open space lots. Proposed Lots 24-27 are common open space lots within the development area, which would be owned and maintained by the future Homeowners' Association (HOA), although the City would obtain an easement across a portion of Lots 25 and 27 for the public pedestrian trail. An easement to allow the public to traverse the private road would also be obtained, for purposes of bicycle circulation from Las Positas Road to Alan Road.

The 35-acre parcel north of the development site would remain a separate lot as part of the project. This lot, which would have a land use designation of Major Hillside and be limited to Open Space uses by the Specific Plan, with an easement for a potential future public pedestrian trail, would also be commonly owned and maintained by the future HOA.

Environmental Review

As required under the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared to evaluate physical environmental effects resulting from the project and proposed Specific Plan. The Final EIR, which is referenced as Attachment 4 to this report, was certified by the Planning Commission on December 1, 2005. Prior to taking an action on the project, the City Council must make findings pursuant to the California Environmental Quality Act Guidelines Sections 15091 (Findings) and 15093 (Statement of Overriding Considerations).

BUDGET/FINANCIAL INFORMATION:

Property Tax

State law governing annexations requires that the City and the County negotiate a property tax exchange agreement. The tax exchange agreement determines what portion of the property tax paid on the property will be allocated to the City. This process has been initiated and, if the annexation is approved by Council, a Resolution reflecting the tax exchange agreement negotiated by Staff will be brought to the Council for subsequent action. Adoption of such a Resolution will need to be finalized prior to LAFCO's action on the annexation.

Annexation Buy-in Fees

Chapter 4.04 of the Municipal Code (Annexation and Charges) requires owners of annexed property to pay an annexation "buy-in" fee for potential units to be developed on the property. The annexation fee amount is set by City Council Resolution based on the value of municipal improvements and the acreage of land in the City. Resolution 99-133 establishes the "buy-in" fee at \$3,189 per new dwelling unit. The project will result in a total of 23 net new units on the site that will need to be served by City services; therefore, the buy in fee for the project will be \$73,347.

Recommendation

Staff believes that the annexation of the subject parcels is appropriate to ensure logical and consistent land use planning, efficient public services, and orderly development in the Las Positas Valley, and that the proposed overall density is appropriate for the site. The proposed General Plan designations are consistent with the pattern of development of the existing neighborhood and adoption of a specific plan to guide future development of the area is preferred to conventional zoning standards.

The proposed development is appropriately sited on the property and the new bridge would provide a major enhancement to the bicycle and pedestrian network in the Las Positas Valley. Although the proposed creek stabilization and restoration work would not fully address the biological impacts created by the bridge, it would greatly improve the stability of the creek and the overall health of the riparian corridor.

Staff recommends that the City Council consent to the annexation request, including the proposed General Plan, Local Coastal Plan, and zoning designations, introduce the

necessary ordinance, and adopt the resolutions. Staff also recommends that the City Council find that the proposed project conforms to the City's Zoning and Building Ordinances and policies of the Coastal Act, General Plan and Local Coastal Plan, subject to the proposed Conditions of Approval.

- ATTACHMENTS:**
1. Planning Commission Resolution No. 080-05
 2. Planning Commission Minutes (12-01-05)

The following Attachments were previously provided to Councilmembers under separate cover:

3. Planning Commission Staff Report (12-01-05)
4. Veronica Meadows Specific Plan Final EIR

Note: Correspondence from members of the public addressed to the Planning Commission is available at the Planning Division, 630 Garden Street, and can be made available upon request.

PREPARED BY: Renee Brooke, AICP, Redevelopment Specialist

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

December 1, 2005

CALL TO ORDER:

Chair Jonathan Maguire called the meeting to order at 1:09 P.M..

ROLL CALL:

Present:

Chair Jonathan Maguire

Vice-Chair John Jostes

Commissioners Charmaine Jacobs, Stella Larson, Bill Mahan, George C. Myers and Harwood A. White, Jr.

STAFF PRESENT:

Bettie Weiss, City Planner

Jan Hubbell, Senior Planner

Victoria Greene, Project Planner

Renee Brooke, Redevelopment Specialist

Barbara Shelton, Environmental Analyst

Rob Dayton, Transportation Planning Supervisor

Stacey Wilson, Assistant Transportation Planner

Jim Austin, Fire Inspector

Nancy Rapp, Parks and Recreation Director

N. Scott Vincent, Assistant City Attorney

Debbie Bush, Acting Planning Commission Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Senior Planner Jan Hubbell announced that 617 Garden Street has been continued one week at applicant's request.

MOTION: Mahan/White

Continue 617 Garden Street to December 8, 2005 Planning Commission Meeting.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (White)

Commissioner White arrived at 1:10 P.M.

B. Announcements and appeals.

Ms. Hubbell announced that the scheduled December 15, 2005, Planning Commission meeting has been cancelled.

C. Comments from members of the public pertaining to items not on this agenda.

Jim Kahan commented on the timeliness of the public's access to staff reports and plans.

With no one else wishing to speak, the public comment was closed at 1:14 P.M.

II. CONSENT ITEMS:

ACTUAL TIME: 1:14 P.M.

APPLICATION OF PAT YOCHUM, AGENT FOR THE WRIGHT FAMILY TRUST, PROPERTY OWNER, 222 AND 236 YANONALI STREET, APN 17-021-033 and 17-021-20, HRC II, HOTEL AND RELATED COMMERCE ZONES, GENERAL PLAN DESIGNATION: HOTEL AND RELATED COMMERCE, SD-3, COASTAL OVERLAY (MST2003-00485)

The project consists of a one-year time extension to an approved Coastal Development Permit for a lot line adjustment. The lot line adjustment is between two lots of 20,968 square feet and 98,719 square feet, resulting in two lots of 23,727 square feet and 95,965 square feet, respectively. The discretionary application required for this project is a Time Extension to an approved Coastal Development Permit that allows a lot line adjustment on property located in the Appeals Jurisdiction of the City's Coastal Zone (SBMC §28.45.009).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Victoria Greene, Project Planner

Email: vgreene@santabarbaraca.gov

MOTION: Mahan/White

Motion to waive the Staff Report.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jostes)

Commissioner Jostes stepped down.

The public comment was opened at 1:15 P.M. and with no one wishing to speak was closed at 1:15 P.M.

MOTION: Mahan/White

Assigned Resolution No. 078-05

Approve the time extension to an approved Coastal Development Permit that allows a lot line adjustment.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jostes)

Commissioner Jostes returned at 1:16 P.M.

CONTINUED TO DECEMBER 8, 2005

APPLICATION OF JONATHAN DOHM, AGENT, FOR THE SANTA BARBARA MENTAL HEALTH ASSOCIATION AND REDEVELOPMENT AGENCY, 617 GARDEN STREET, APNS 031-152-025 AND 031-152-028; C-M COMMERCIAL MANUFACTURING ZONE, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL/OFFICES/RESIDENTIAL (MST2005-00575)

The project consists of a three-unit, one-lot subdivision for an approved mixed-use project with 13,075 square feet of commercial space, 51 residential units, and 110 parking spaces. The condominium units would be comprised as follows: Unit 1 – 51 residential apartments and common space (37,782 square feet); Unit 2 – commercial space on the first and second floors (13,852 square feet) for the Mental Health Association; and Unit 3 – commercial space on the third floor (3,688 square feet) for a non-profit owner. The parking would be held in common as previously approved.

The Planning Commission previously approved a mixed-use development on the site on January 27, 2005. Currently on the site there is an existing 1,160 square foot office building, four apartment units, 5,212 square foot athletic club and City employee parking lot, which have been approved for demolition.

The discretionary application required for this project is a Tentative Subdivision Map for a one-lot subdivision to create three (3) condominium units (SBMC Chapters 27.07 and 27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15315.

Case Planner: Marisela G. Salinas, Associate Planner
Email: msalinas@santabarbaraca.gov

III. DISCUSSION ITEM:

ACTUAL TIME: 1:16 P.M.

A. AIRLINE TERMINAL IMPROVEMENT PROJECT

Review and recommendations to City Council on the Airline Terminal Project Program Criteria Document.

Case Planner: Laurie Owens, Project Planner
Email: lowens@SantaBarbaraCa.gov

Laurie Owens, Project Planner, gave a brief presentation of the project.

Nabil Jamal, URS, gave a brief presentation of the project.

Public comment was opened at 1:53 P.M, and with no one wishing to speak, closed at 1:53 P.M.

Commissioner's comments and questions:

1. Thanked Staff, Planning Commission members and others for their hard work. Suggested that it would be useful to overlay the existing Terminal building over the proposed project..
2. Stated that both the rental car parking lot and the long term parking lots look barren. Asked if these lots meet City landscape standards. Would like to see more shade wherever possible.
3. Stated that Phase I is scheduled to be completed just as capacity is reached; concerned with when planning would occur for Phase II.
4. Asked about the Historic Landmarks Commission (HLC) drawing deletions that were recommended.
5. Asked what is the average time a departing passenger spends in a terminal.
6. Asked about the size of the proposed short term parking in comparison to the existing short term parking lot.
7. Concerned with the passenger transit from the short term parking to the terminal and passenger safety when crossing the access road.
8. Asked about the public transit stops and movement of passengers.
9. Concerned with the upstairs Observation Deck facing the west side. Asked if it is possible to direct the passenger's view towards the view of the mountains instead of rental parking lot.
10. Would like to see airport terminal include activities to pass the time while waiting for flights to leave. Some Airports have children's activities, such as a Children's Museum. Suggested it might be an idea well worth pursuing for Santa Barbara.
11. Very clear and concise power point presentation given by Staff and Applicant. Helps the Commission to understand the bigger picture of the proposal. The project responds to the design criteria of Santa Barbara. Would like to help move the project forward.

12. Asked if the Green Building and Sustainability program is incorporated into the budget. Asked if there are ways to supplement revenue to make the building sustainable.
13. Asked about the small parking area to the south.
14. Asked why HLC is concerned with e-ticketing in the existing terminal building.
15. Understand HLC input about e-ticketing, but does not want to compromise the airport providing modern facilities and services.
16. Tarmac area can sometimes be very confusing; suggests electronic signs providing directions next to planes on the ground. An Airport should have "State of the Art" services.
17. Concerned with the sidewalks and their present ending point along William Moffet Place. Would like to see sidewalks extended to the length of the construction area.
18. Concerned with design of sidewalk. Attention needs to be paid to pedestrian access to and from parking lots; safety must be kept in mind, pointed out rental car area. Suggest finding ways to create pedestrian walkways that are more pedestrian friendly.
19. Recalled trying to have location of the bus stop within the interior of the road and asked for status.
20. Asked if the parking garage is part of Phase I.
21. Suggested that the sidewalk at least continue to the edge of the Mercury leasehold. Also suggested that information about transportation services be made available to passengers within the Airport.
22. Consensus of commissioners expressed appreciation and acknowledgment of excellent Staff work and for a very well developed conceptual plan. Noted that there will be changes as the plans become more detailed.

Laurie Owens answered questions from the Commissioners by stating that the long-term lot will not have changes. She also stated that the landscape design for the short term lot is not final. The Zoning Ordinance designates the rental car area as a storage area and does not require landscaping.

Ms. Owens talked about the airline market fluctuation as it relates to planning for Phase II.; discussed passenger growth and available budget. Cost escalation is included. Budgeting decisions have been made with priority on major functions such as baggage handling, and security areas. Mr. Jamal added that the baggage area is sized for efficiency.

Mr. Jamal responded that most passengers are required to be at the airport 90 minutes to 2 hours ahead of their flight. He also stated that the short term parking is projected to be 170 spaces compared to the present amount of 270 spaces.

Ms. Owens explained the sources of the project funding and the process of making projections for budget management. Sustainable project design was incorporated into the project cost estimates made during development of the PCD. Ms. Owens explained that HLC was involved in input to the E-ticketing because the kiosks would be placed inside the lobby of the historic structure.

Mr. Jamal explained the parking lot area is an entry for service vehicles and also used to shuttle rental cars from off-site storage. Ms. Owens added that this area will be used as a maintenance area in the future.

Ms. Owens reported meeting with MTD and their preference for maintaining their stop at William Moffet Place. Peak hour for terminal is much earlier than peak usage for MTD, so passengers and employees have difficulty making use of MTD. The commercial service road has been designed to allow for future MTD use. Also, by shifting the building southward, the distance for pedestrians will move closer to stops than today. Ms. Owens noted that the area along the long term lot is not a part of the project; and explained challenges in adding parkways.

Ms. Owens stated that the parking garage is a part of Phase II.

MOTION: Mahan/Jostes

Assigned Resolution No. 079-05

Recommend to the City Council that the Airline Terminal Project Criteria Document be approved with amendments to include:

- 1) Showing an outline of the existing terminal layout on the presentation materials.
- 2) Increasing landscaping in the rental parking lot and the remainder of the parking lots.
- 3) Continue to work on hiding the rental parking lot as seen from the observation deck.
- 4) Providing an area for children's activities, such as a Children's Museum.
- 5) Extending the length of the sidewalks to the limit of the construction area.
- 6) Providing a parkway between the sidewalk and the roadway wherever feasible.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

The Commission recessed from 2:40p.m. until 3:03p.m.

Vice-Chair Jostes left the meeting at 3:03p.m.

CONTINUED ITEM:

ACTUAL TIME: 3:03 P.M.

A. APPLICATION OF PEAK LAS POSITAS PARTNERS, 900-1100 BLOCK OF LAS POSITAS ROAD (VERONICA MEADOWS SPECIFIC PLAN), APNs 047-010-016, 047-010-053 (A PORTION), 047-010-011, AND 47-061-026; CURRENT COUNTY ZONING: 8-R-1 SINGLE-FAMILY RESIDENTIAL (8,000 SQ. FT. MIN. LOT SIZE), AND RR-20 RURAL RESIDENTIAL (20-ACRE MIN. LOT SIZE); CURRENT COUNTY COMPREHENSIVE PLAN DESIGNATION: RESIDENTIAL, 4.6 UNITS PER ACRE AND RESIDENTIAL RANCHETTE, ONE UNIT PER 20 ACRES (MST99-00608).

The proposed project involves the annexation of approximately 50 acres to the City of Santa Barbara, located between Campanil Hill and Las Positas Road, and a 29-lot subdivision. Upon annexation, the subject lots would have various General Plan Land Use and Zoning Designations, described in further detail below.

Approximately 35.7 acres would be dedicated open space and 14.8 acres would be developed for residential uses, a public road, and public passive recreation and open space. Twenty-three (23)

residential lots would be created, ranging in size from approximately 5,520 to 11,373 square feet. The remaining six lots would be comprised of common open space areas and public roads. The project would include seven house plans, all of which would be two-stories in height, and range in size from 1,800 to 4,500 square feet of living area. Site access to all but two lots would be provided via a proposed concrete bridge over Arroyo Burro Creek that would intersect with Las Positas Road. A public loop road on the west side of the creek would serve 17 of the homes; a private drive would provide access to four home sites from the public loop road. The remaining two homes would be accessed from the end of Alan Road. A public pedestrian path is proposed along the western edge of the creek to provide access from the end of Alan Road to Las Positas Road.

The project includes a creek stabilization and restoration plan on both banks of Arroyo Burro Creek, for a length of approximately 1,800 feet, and would provide a 100-foot buffer between the proposed residences and the top of bank of Arroyo Burro Creek. A portion of the proposed public road and private driveways would be located within the 100-foot creek setback.

Cast-in-ground concrete caissons are proposed on-site to stabilize the hillside to the west. Geologic stabilization of the hill would result in approximately 61,500 cubic yards (cy) of cut and 61,500 cy of fill. Total estimated grading for the project improvements (building pads, roads, etc.) would be about 13,165 cy of cut and 26,102 cy of fill (including soil recompaction); grading for the creek stabilization/restoration work would involve approximately 14,000 cy of cut.

The Discretionary Applications Required for this Project Are:

1. A Coastal Development Permit for the subdivision and development (residences, roads, creek restoration, landscaping, grading, etc.) of the portion of the project within the Appealable and Non-Appealable jurisdictions of the Coastal Zone (SBMC §28.45.009);
2. A Lot Line Adjustment to remove a 4.49-acre portion from APN 047-010-053 and attach it to APN 047-010-016 (Gov. Code §66412);
3. A Waiver of the requirement that newly created lots front upon a public street, to allow proposed Lots 3, 4, 5, and 6 to be served by a private driveway (SBMC §22.60.300);
4. Neighborhood Preservation Ordinance Compliance because the project requires an EIR and to allow grading in excess of 500 cubic yards outside of a main building footprint within the Hillside Design District (SBMC §22.68.070); and
5. A Tentative Subdivision Map to divide one parcel into 29 lots, including a finding of consistency with proposed Specific Plan #9. Twenty-three lots would be developed with single-family homes, four would be common open space lots, and two would be dedicated as public road areas (SBMC Chapter 27.07).

Actions Requiring a Recommendation to the City Council by the Planning Commission:

6. Annexation of the subject parcels to the City of Santa Barbara;
7. Adoption of Specific Plan 9 – Veronica Meadows;
8. General Plan Amendment, upon annexation, to add the subject parcels to the City's General Plan Map. APNs 047-010-016, 047-061-026, and the 4.49-acre portion of 047-010-053 would have a General Plan Land Use Designation of Residential, Two Dwelling Units per Acre; APN

047-010-011 would be designated Major Hillside, Open Space, Buffer/Stream, and Pedestrian/Equestrian Trail;

9. Zoning Map Amendment, upon annexation, to designate APNs 047-010-011, 047-010-016, 047-061-026 and the 4.49-acre portion of 047-010-053 as SP-9, Veronica Meadows Specific Plan. Any portion of the involved properties located within the Coastal Zone would also be designated as SD-3, Coastal Overlay Zone;
10. Hillside Design District Map Amendment, upon annexation, to add the subject parcels to the Hillside Design District (SBMC §22.68.110); and
11. Local Coastal Plan Amendment to add the portion of APN 047-010-016 located within the Coastal Zone boundary to the City's Local Coastal Plan, with the same designations as for the General Plan.

Final EIR Certification. A Final Environmental Impact Report (EIR, ENV #99-00608) has been prepared and, prior to an action on the project, the Planning Commission will consider certification of the EIR, and must make findings pursuant to the California Environmental Quality Act Guidelines Section 15091.

Renee Brooke, Redevelopment Specialist, gave a brief presentation of the project.

Nancy Rapp, Parks and Recreation Director gave a brief overview of the project.

The applicant presentation was made by Mark Lee, Mitchell Swanson, Dan Meade and Jeff Gorrell.

The public comment was opened at 4:06 P.M.

Those who spoke in support of the project:

Ridge Baccash, Braemar Ranch Homeowner's Association
Robert Rice
Jack Trigueira
Bob Uphoff
Glen Adams
Jeff Ruppert
Christy Milorich
Alice Post, Livable Streets Coalition
Walter Knapp
Betty Shumaker
Donovan Chalfah
Mike Jordan, Creeks Advisory Committee
David Schott
Dr. John Calvert
Gary Gray
Josiah "Si" Jenkins
Sharon Trigueira

Paul Dubuc
John W. Calvert, PhD.
William and Gail Kennedy, submitted a letter

Those who spoke with concerns and opposition of the project:

Naomi Kovacs, Citizens Planning Association
David Pritchett, City Creeks Advisory Committee (CAC)
Eddie Harris, Santa Barbara Urban Creeks Council
Sharyn Main, South Coast Watershed Alliance

Chip Wullbrandt, attorney for Mark Lee, responded to public comments, specifically regarding the EIR. Pointed out that the property is privately owned and not destined to be park land; willing to meet with public speakers to discuss creek restoration. Mr. Wulbrandt summarized the benefits of project.

With no one else wishing to speak, the public comment was closed at 5:04 P.M.

Barbara Shelton, Environmental Analyst, provided clarification to comments made by the public regarding the EIR and Charter Section 1507.

Mr. Vincent stated that the EIR identifies the impacts to traffic at various intersections and specifies feasible mitigation, assigning dollar amounts based on impacts for each of the four intersections. It is through the applicant's agreement to assign the disbursed mitigation fee to one intersection that the City is gaining a better use of funds. The \$88,000 is being allocated to this one intersection.

Ms. Brooke clarified the creek restoration requirements.

The Commission recessed from 5:20 P.M. until 5:24 P.M.

Commissioner's questions and concerns:

1. Referenced City Charter Section 1507 and a concern, not with the annexation, but with the density that the annexation will bring in zoning proposed for the property.
2. Wanted to know more about the Creeks Advisory Committee's project review and its process.
3. Asked for clarification in looking at the Environmentally Superior Alternative vs. No Project Alternative and benefits lost if the project is not approved.
4. Asked if prior hearing's motion was incorporated into the new draft of conditions of approval.
5. Recalls original project did not include rezone of the five-acre parcel; cannot support intensification of land that is effectively open space.

6. Proposed creek restoration is gaining quality over time, but still concerned with hazards outside the restoration area that includes upstream and the downstream flooding potential to Alan Road properties.
7. Asked about relationship of the creek to Mr. Lee's 35-acre parcel. Asked if creek is on his parcel or adjacent to it. Wondered if you would be on private property if one tried to work in the creek channel.
8. Asked if the reason that removal cannot be done is because it is on private property. Asked if the reason that restoration is not feasible on the 35-acre parcel is due to liability issues.
9. Asked about Mr. Wulbrandt's proposal that included finding a grant from a State agency to provide financial support for creek restoration. Asked if Mr. Lee supports that proposal.
10. Sees county as agricultural area and zoned for low density, yet it seems reasonable that as cities grow and annex property, that density would increase. This project is not densely developed and leaves 88% of the proposed project as open space. Understands the importance of recognizing opportunities and sees this project as an incredible opportunity for the City to establish a new plateau in creek restoration.
11. Stated that this piece of land has limited zoning potential, as reflected in the General Plan and Zoning. The proposal conflicts with the General Plan and, although it offers some land as open space, it is land that is undevelopable. The proposed portion to be developed is not consistent with the Neighborhood Preservation Ordinance that is currently being developed.
12. The creation of creek stewardship with this project is significant in setting an example for other property owners up- and down-stream to do the same.
13. The 100 foot setback that may be encroached upon by this project is insignificant to the alternative and impact that Las Positas Road has on the creek itself. There are traffic concerns in the area that need to be addressed, but this project has minimal impact on current traffic conditions. The applicant cannot be held responsible for fixing these existing problems.
14. Suggest that at some time there could be a traffic fee mitigation program. This should also include a sustainability fee mitigation program applied to these homes.
15. Would like to see the oak tree at the proposed bridge location saved.
16. Stated that the public feels that it owns the creek, regardless of the fact that it is on private property. This attitude prevails when looking at projects like this one. It cannot be expected that conditions made on this one project will solve the problems up or down the creek; it is only a sliver in a larger picture.
17. Density still a concern, as well as the associated traffic. Appreciates daylighting the seasonal tributary that comes down from Campanil Hill.
18. Expressed disappointment that the Commission cannot approve what appears to be a benefit to the community. Asked the applicant if he would like a continuance or a denial of the project.
19. Some commissioners agreed that the applicant should have Council review the project.
20. Concerned that issues still remain after fellow Commissioners gave applicant direction and the applicant responded. Disappointed in lack of vision from peers and encourages applicant to consider appealing the Commission's decision to City Council.

21. One Commissioner recalled being distinct about seeing a reduction of units. The development of the project is not consistent with the City Charter Section 1507; therefore, cannot make findings to support project. Suggest if Commission is at a deadlock, then it is best to send to City Council.
22. The highest and best use of parkland is parks, not streets.
23. The density of Las Positas Canyon should be minimized
24. The no-bridge low density option is preferable.
25. This project constitutes an in appropriate use of scarce traffic capacity at Las Positas and U.S. Highway 101.

Mr. Vincent addressed the Commission in stating that the Creeks Advisory Committee was not established as a design review committee; it does have expertise in creek issues. This project was brought to the Creeks Advisory Committee for a courtesy review, but it should be understood that they are not a part of the design review process at this time.

Ms. Hubbell clarified the Environmentally Superior vs. No Project Alternatives and added that, although benefits are lost in not approving the project, a No Project Alternative would not bring significant unavoidable impacts.

John Gray, URS, EIR preparer, clarified the relationship of the 35-acre parcel and the creek. Most of the arrundo and the creek channel are not on Mr. Lee's property.

Mr. Lee stated that the majority of the creek is not abutting or attached to his property; other property owners own most of it. Because most of arrundo is upsteam, it will always be there. The restoration plan that is proposed discourages arrundo; however, there will be residual arrundo that will return. Mr. Lee would encounter liability issues if he were to alter the arrundo landscape on the 35-acre parcel, as it could cause slippage or other acts of God. There will be no liability as long as the land is left alone. Mr. Lee stated it would be unreasonable to ask him to assume that liability.

Mr. Lee said he would not be asking for a continuance. His reliance on the process and its integrity have been very disappointing. He has continued with this project for seven years working in good faith, and finds it shameful.

Mr. Wullbrandt added to Mr. Lee's comments saying that this proposal has fewer units on it than what is allowed by the County. This project has a lower density than what is allowed by County non-urban zoning and presents an opportunity for the City to do urban zoning and urban planning. Sees a need to have City Council review this proposal.

MOTION: Mahan/Jacobs

Certify the EIR as the findings are outlined.

This motion carried by the following vote:

Ayes: 5 Noes: 1 (White) Abstain: 0 Absent: 0

MOTION: Mahan/White

Assigned Resolution No. 080-05

Refer the project to City Council because the six member panel is deadlocked. Three Commissioners find it acceptable and three do not.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 0

Commissioner Mahan stated that it is a fine example of an applicant working with Staff and salutes the process.

Bettie Weiss, City Planner, commented on City Charter Section 1507. She also stated that there have been many concept reviews for various scenarios for this property. The process has its ups and downs, yet over time the varying positions of all individuals involved merit respect.

Ms. Weiss also thanked everyone for their efforts.

IV. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

Commissioner Jacobs attended the Airport Terminal Design Workshop and the project encourages all to use it. Ms. Jacobs has viewed the Granada Garage Parking lot and it will be quite successful. Congratulations to the construction crew and City Staff..

Commissioner Myers commented that he was not at the last Enhanced Transit Subcommittee meeting and changes were made that he was not aware of. Chair Maguire reviewed what some of the changes were.

B. Review of the decisions of the Modification Hearing Officer in accordance with SBMC §28.92.026.

None.

VII. ADJOURNMENT

Chair Maguire adjourned the meeting at 6:33 P.M.

Submitted by,

Deana Rae McMillion, Clerical/Admin Supervisor for Debbie Bush, Acting Planning Commission Secretary



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 080-05

900-1100 BLOCK OF LAS POSITAS ROAD

CERTIFICATION OF FINAL EIR

DECEMBER 1, 2005

APPLICATION OF PEAK LAS POSITAS PARTNERS, 900-1100 BLOCK OF LAS POSITAS ROAD (VERONICA MEADOWS SPECIFIC PLAN), APNs 047-010-016, 047-010-053 (A PORTION), 047-010-011, AND 47-061-026; CURRENT COUNTY ZONING: 8-R-1 SINGLE-FAMILY RESIDENTIAL (8,000 SQ. FT. MIN. LOT SIZE), AND RR-20 RURAL RESIDENTIAL (20-ACRE MIN. LOT SIZE); CURRENT COUNTY COMPREHENSIVE PLAN DESIGNATION: RESIDENTIAL, 4.6 UNITS PER ACRE AND RESIDENTIAL RANCHETTE, ONE UNIT PER 20 ACRES (MST99-00608).

The proposed project involves the annexation of approximately 50 acres to the City of Santa Barbara, located between Campanil Hill and Las Positas Road, and a 29-lot subdivision. Upon annexation, the subject lots would have various General Plan Land Use and Zoning Designations, described in further detail below.

Approximately 35.7 acres would be dedicated open space and 14.8 acres would be developed for residential uses, a public road, and public passive recreation and open space. Twenty-three (23) residential lots would be created, ranging in size from approximately 5,520 to 11,373 square feet. The remaining six lots would be comprised of common open space areas and public roads. The project would include seven house plans, all of which would be two-stories in height, and range in size from 1,800 to 4,500 square feet of living area. Site access to all but two lots would be provided via a proposed concrete bridge over Arroyo Burro Creek that would intersect with Las Positas Road. A public loop road on the west side of the creek would serve 17 of the homes; a private drive would provide access to four home sites from the public loop road. The remaining two homes would be accessed from the end of Alan Road. A public pedestrian path is proposed along the western edge of the creek to provide access from the end of Alan Road to Las Positas Road.

The project includes a creek stabilization and restoration plan on both banks of Arroyo Burro Creek, for a length of approximately 1,800 feet, and would provide a 100-foot buffer between the proposed residences and the top of bank of Arroyo Burro Creek. A portion of the proposed public road and private driveways would be located within the 100-foot creek setback.

Cast-in-ground concrete caissons are proposed on-site to stabilize the hillside to the west. Geologic stabilization of the hill would result in approximately 61,500 cubic yards (cy) of cut and 61,500 cy of fill. Total estimated grading for the project improvements (building pads, roads, etc.) would be about 13,165 cy of cut and 26,102 cy of fill (including soil recompaction); grading for the creek stabilization/restoration work would involve approximately 14,000 cy of cut.

Final EIR Certification. A Final Environmental Impact Report (EIR, ENV #99-00608) has been prepared and, prior to an action on the project, the Planning Commission will consider certification of the EIR, and must make findings pursuant to the California Environmental Quality Act Guidelines Section 15091.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, eighteen people appeared to speak and one letter was read in favor of the application, and five people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 1, 2005
2. Site Plans
3. Correspondence received in support of the project:
 - a. Nancy Eclebo, 516 Braemar Ranch Road
4. Correspondence received in opposition to the project:
 - a. Paul R. Weisman, Yankee Farm Road
 - b. Timothy Rodgers, neighbor, received via email

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission finds the following:

Certifies the Final Environmental Impact Report for the Veronica Meadows Specific Plan, including the Additional Environmental Analyses for the Final Environmental Impact Report, dated November 20, 2005, finding that:

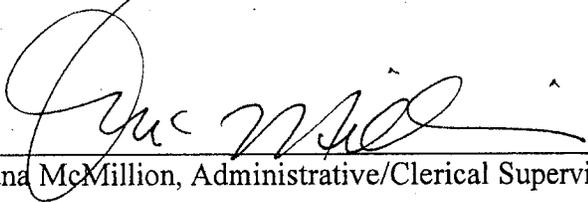
1. The Final Environmental Impact Report for the Veronica Meadows Specific Plan was presented to the Planning Commission of the City of Santa Barbara. The Planning Commission reviewed and considered the information contained in the proposed Final Environmental Impact Report, along with public comment and responses to comments.
2. The proposed Final Environmental Impact Report for the Veronica Meadows Specific Plan has been completed in compliance with the California Environmental Quality Act and Guidelines, reflects the City of Santa Barbara Planning Commission's independent judgment and analysis, and constitutes adequate environmental analysis and documentation for the Veronica Meadows Specific Plan.
3. The location and custodian of documents and materials that constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, Planning Division, 630 Garden Street, Santa Barbara, CA, which is also the Lead Agency.

This motion was passed and adopted on the 1st day of December, 2005 by the Planning Commission of the City of Santa Barbara, by the following vote:

PLANNING COMMISSION RESOLUTION No. 080-05
900-1100 BLOCK OF LAS POSITAS
DECEMBER 1, 2005
PAGE 3

AYES: 5 NOES: 1 (White) ABSTAIN: 0 ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.



Deana McMillion, Administrative/Clerical Supervisor

2-2-06

Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.